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COMMISSION ON HUMAN RIGHTS

Fifty-fifth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)*
OF THE 17th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 6 April 1999, at 3.55 p.m.

Chairperson: Ms. ANDERSON (Ireland)

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* The summary record of the first part of the meeting appears as document E/CN.4/1999/SR.17.

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The public part of the meeting was called to order at 3.55 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, INCLUDING:

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(agenda item 9) (continued) (E/CN.4/1999/7, 25 to 27, 30 to 38, 40 to 43, 107, 117, 119, 121, 125 to 127, 129 to 137 and 139; E/CN.4/1999/NGO/3, 11, 12, 16 to 20, 29 and 61; S/1998/581; A/53/402, 490 and 539)

1. The CHAIRPERSON said that, in accordance with established practice, she wished to announce that the Commission had examined in closed meetings the human rights situation in Chad, the Gambia, Nepal, Saudi Arabia, Sierra Leone and Yemen under Economic and Social Council resolution 1503 (XLVIII).

2. The Commission had decided to discontinue consideration under Council resolution 1503 (XLVIII) of the human rights situation in the Gambia, Nepal, Saudi Arabia and Yemen. In conformity with paragraph 8 of Council resolution 1503 (XLVIII), members of the Commission should not make any reference in public debate to the confidential decisions taken under that resolution or to any confidential material relating to those countries.

3. In the case of Chad, the Commission had decided to discontinue consideration of the human rights situation under the 1503 procedure. During consideration of agenda item 19 entitled "Advisory services and technical cooperation in the field of human rights", she would read out the text agreed upon by the Commission with regard to Chad.

4. In view of the gravity of the situation of human rights in Sierra Leone, the Commission had decided to continue its consideration of the situation in that country under the public procedure. It had also decided that the text of the decision adopted should be made public as a resolution of the Commission under agenda item 9. She then read out resolution 1999/1 concerning the situation of human rights in Sierra Leone.

5. She invited the Commission to resume its discussion of agenda item 9 (a).

6. Mr. CHELIA (Argentina) commended the Secretary-General's report on Cyprus (E/CN.4/1999/25), especially the welcome results of the "shuttle talks" and the efforts of the United Nations Peace-Keeping Force in Cyprus (UNFICYP). His delegation was nonetheless concerned about the human rights situation in that country. A solution should be found, based on international law and the international human rights instruments, whereby Cyprus would be a generally recognized sovereign State. His delegation favoured a federation between the two Cypriot communities, rather than total or partial union with any other State or any form of partition or secession.

7. There had been certain improvements but many of the restrictions on Greek Cypriots and Maronites resident in the north remained. It was also regrettable that implementation of the 31 July 1997 agreement was still proving difficult. He called on both parties to comply with the relevant resolutions of the General Assembly, the Security Council and the Commission in the interests of a negotiated solution guaranteeing all the people of Cyprus the full enjoyment of their fundamental rights.

8. Mr. PALIHAKKARA (Sri Lanka) said that, in 1997, his Government had acceded to the Optional Protocol to the International Covenant on Civil and Political Rights, despite the campaign of terrorism being waged by one of the most ruthless groups in the world. Sri Lanka was a party to 14 international human rights instruments and scrupulously respected its duty of reporting to, and reacting to the recommendations of, the committee set up under those instruments. Full access was provided to the International Committee of the Red Cross (ICRC) and to a large number of national and international humanitarian organizations, despite the fact that the terrorists often misused the presence of such organizations for propaganda purposes.

9. The Working Group on Enforced or Involuntary Disappearances would shortly be visiting the country and would be able to see for itself how investigative action could be followed through even in times of conflict. The Human Rights Commission of Sri Lanka had become operational in 1998 and had already established 10 regional offices. Its resources had been increased by nearly 80 per cent to support the planned expansion of its activities.

10. His Government would continue its long-standing policy of providing humanitarian services and essential supplies to persons in the areas affected by the terrorism of the Liberation Tigers of Tamil Eelam (LTTE). All the Government's human rights policies had to be seen in the context of the threat posed by the LTTE, which openly advocated the ethnic segregation of the country against the will of their own community.

11. Despite those challenges, his Government was prepared to undertake deterrent action against members of the security forces who committed human rights abuses. The past year had seen some significant executive and judicial decisions upholding the rule of law, which had brought about salutary results. The punishment of offenders preserved the good name of the professional soldiers constituting the vast majority of the armed forces, which had conducted difficult operations with minimum civilian casualties.

12. His Government had persisted in its efforts to promote constitutional reform and devolution of power as a means of addressing the ethnic issues in the country. The LTTE had single-mindedly thwarted all such efforts. His Government was, however, willing to enter into negotiations with the LTTE, if the group demonstrated its readiness in a verifiable way to renounce its terrorist campaign. There were no easy solutions to the political problems that brought about violence or were brought about by violence, but his Government had done its best to address the resulting human rights problems, with some success. It was determined to pursue the democratic path demanded by its electorate; terrorism would not reverse the process.

13. Mr. K.B.M. AL-THANI (Qatar) drew attention to the deteriorating human rights situation in southern Lebanon and western Bekaa as a result of the Israeli occupation. The inhabitants of the region were subjected every day to violations of all the provisions of the international human rights instruments. The Israeli forces destroyed houses, fields and crops and placed obstacles in the way of any attempts at a normal life. Collective punishments were imposed on communities, many inhabitants were expelled and others languished for months or even years in prison camps. The international community should put pressure on the Israeli Government to withdraw its troops, in accordance with the relevant Security Council resolution, and enable Lebanon to regain its sovereignty.

14. Mr. JAKUBOWSKI (Poland), having endorsed the statement on behalf of the European Union, said that the human rights movement had hardly been successful in terminating human rights abuse. Daily television images of atrocities were a sad testimony of what humans were capable of doing to their fellows. While the human rights issue was ultimately a national one, growing interdependence and globalization meant that it had acquired an international dimension. The international community had a moral obligation to intervene when human rights were abused.

15. Human rights violations were perpetrated for various reasons and were not always directly attributable to the Government of the country concerned. Often Governments were not indifferent to the issue nor unreceptive to international cooperation; they simply lacked the means to implement the rights in question. In such cases, assistance should be given.

16. It was quite another matter when human rights were violated deliberately, because Governments refused to tolerate any dissent. That was the reality prevailing in the remaining Communist countries. It was right for the Commission to speak out on such matters. In many instances tangible results had been achieved thereby.

17. Mr. PIRZADA (Pakistan) said that there was no situation of gross and systematic violation of human rights in Pakistan. There were no restrictions on human rights organizations visiting the country and reporting their findings. There were no closed regions to which such organizations were denied access.

18. Enormous difficulties existed, however, and his Government had undertaken steps to improve the human rights situation. Initiatives had been taken to protect the rights of women and children, and particularly to eradicate exploitative child labour within a specific time-frame. Reforms were being introduced in the police forces of the Punjab and Sindh; it was hoped that they might serve as a model for the other provinces.

19. The judiciary was absolutely independent, as was reflected in the landmark judgements declaring certain sensitive enactments to be ultra vires and therefore void, since they ran counter to fundamental rights. The Government had respected those decisions.

20. The issue of human rights could not be divorced from that of the realization of the right to development. To create an enabling environment

therefor, the following measures were essential: the commitments entered into at recent United Nations world conferences should be implemented; the presence or absence of equity considerations in the international trade regime and the decision-making methods of international financial and development institutions should be reviewed and the Commission should recommend that policies for global economic management should not negate the right to development for all.

21. Pakistan faced continuing subversion through acts of terrorism, sabotage and political murder, perpetrated as retribution for his country's support for the legitimate struggle of the Kashmiri people. That campaign was paralleled by a propaganda war based on malicious disinformation against Pakistan in the international human rights arena.

22. The people of Jammu and Kashmir faced systematic repression by a half-million strong army of occupation, which had violated the entire gamut of human rights, and Indian laws granted immunity to the perpetrators of such crimes. The Indian national human rights institution was not allowed to investigate excesses committed by army personnel.

23. His Government was committed to sincere talks leading to an early solution of the dispute and the Prime Ministers of Pakistan and India had met. Nevertheless, baseless allegations against Pakistan continued to be made by a coterie of so-called non-governmental organizations (NGOs) financed by Indian intelligence agencies.

24. The situation in Kosovo underlined the need for the protection of human rights in armed conflicts. Principles or guidelines for States and other parties to conflicts should, perhaps, be adopted. They should include a call for a scrupulous regard for international humanitarian law; a standing right for all human rights mechanisms to visit any occupied territory or situation of armed conflict; the appointment of a special rapporteur on human rights violations in such territories; the stationing of field missions; and freedom for the population of the territory to communicate with human rights organizations and United Nations mechanisms.

25. The Commission should not become an arena for cultural confrontation. Resolutions submitted for domestic consumption only were an abuse of the process. Priority must be given to developing the Commission into a forum for constructive dialogue and international cooperation. The forthcoming improvements in the human rights machinery would be welcome.

26. Mr. KANAVIN (Norway) said that a lasting and equitable solution to the situation in Yugoslavia could be found only through political processes based on respect for democracy and human rights. The violations in Kosovo must be strongly condemned and the perpetrators held accountable. Norway currently held the Chair of the Organization for Security and Cooperation in Europe (OSCE), which was focusing its efforts on promoting peace and stability throughout the former Yugoslavia.

27. The most serious human rights violations tended to occur during internal conflicts, as in the cases of the Democratic Republic of the Congo and Sierra Leone. As Rwanda emerged from the trauma of the genocide that had

occurred five years previously, his delegation shared the concern of the Special Rapporteur on that country regarding the administration of justice and respect for human rights there. In Burundi, the internal process and the Arusha talks offered hope for a transition to a more democratic Government and greater respect for human rights. His Government was prepared to support capacity-building efforts in that area.

28. While the situation in the Sudan remained serious, his delegation appreciated the cooperation extended to the Special Rapporteur on that country during his recent visit. No tangible improvement to the human rights situation in Afghanistan could be identified, particularly as far as women's participation in the country's life was concerned, and he supported the Secretary-General's proposal to send a mission to investigate reports of human rights violations by the warring factions and to deploy civilian monitors through the United Nations Special Mission to Afghanistan (UNSMA). The human rights situation in Iraq remained deplorable, and his Government urged the Iraqi Government to comply with the commitments it had freely undertaken under international human rights treaties and international law.

29. Recent developments in Myanmar showed that the Government there was persisting in its violations of human rights. He called upon that Government to release all political prisoners, lift the restrictions on the activities of the National League for Democracy (NLD) and on Aung San Suu Kyi's contacts and freedom of movement, and end the political and humanitarian oppression which was causing flows of ethnic minority refugees to neighbouring countries. The Government of Myanmar should enter into a dialogue with Aung San Suu Kyi and the representatives of the democratic opposition and ethnic minorities, and to initiate a transition to democracy.

30. Norway valued its bilateral dialogues and cooperation in the field of human rights, which it viewed as complementary to its activities in multilateral forums. It had been engaged in a dialogue on human rights with China since 1993 and was pleased to note that China had undertaken new human rights commitments and begun to implement prior commitments more effectively over the past year, a fact which made the recent arrests and summary trials in that country all the more worrying. The situation in China could be improved further through action in such areas as the treatment of prisoners, the death penalty and freedom of religion or belief, and he welcomed the invitation extended to the Special Rapporteur on torture to visit that country. The human rights situation in Tibet remained disturbing, and he appealed to the Government of China to respect the ethnic, cultural and religious identity of Tibetans and to ratify the International Covenants on Human Rights.

31. Norway valued its human rights dialogue with Turkey, particularly at the NGO level, which focused attention on the rights of the Kurdish population. It also considered, however, that the Council of Europe was an appropriate forum for addressing the human rights situation in Turkey at the international level. Norway also engaged in a constructive bilateral dialogue on human rights with Cuba.

32. While the recent negotiations under the auspices of the Secretary-General between Indonesia and Portugal on the future status of East Timor were a cause for optimism, he was concerned at the recent increase

in tension and violence in the territory. Similarly, while the decline in the number of human rights violations by the armed forces and the police in Colombia was welcome, the persistence of violent acts by paramilitary groups and the difficult situation of human rights defenders remained a source of concern. The situation of freedom of expression in Zambia and Zimbabwe was also worrying.

33. The recent local elections were one of several positive developments in the Islamic Republic of Iran, although reform was needed to make the legal system consistent with internationally accepted standards. The situation of several minority groups remained unsatisfactory, and impunity in respect of political violence must be ended. He urged the Iranian Government to invite the Special Representative to visit the country.

34. Drawing attention to Saudi Arabia's failure to meet international standards in the administration of justice and to the country's discrimination against women, he urged that country to become a party to the principal human rights treaties and to strengthen its cooperation with the United Nations in that area.

35. In Cambodia, a culture of impunity prevailed. The rule of law had to be strengthened and the independence of the judiciary respected. Cambodian leaders responsible for violations of international humanitarian law should be held accountable for their actions.

36. The Government of Algeria should do more to protect the personal safety of its population and should respect human rights when combating terrorism. He welcomed the decision to invite the International Committee of the Red Cross (ICRC) to visit the country and urged the Government to extend invitations also to the Special Rapporteurs dealing with extrajudicial, summary or arbitrary executions and torture. The Government should also establish a central registry to record all cases of missing persons and ensure that those who perpetrated human rights violations were brought to justice.

37. Mr. Man Soon CHANG (Republic of Korea) said he was concerned that many countries refused to receive special rapporteurs or to cooperate with them, and he urged those Governments to accept the Commission's scrutiny. Despite the end of the cold war, many parts of the world continued to witness armed conflicts and repressive regimes characterized by human rights violations. Such violations were often hidden from the international community or played down as reflecting national "particularities". He urged the leaders of such regimes to ensure the fundamental human rights of their people.

38. In the former Yugoslavia, many civilians had been victimized by ethnic intolerance, with the safety of the civilian population in Kosovo a source of particular concern. Horrifying human rights abuses also occurred in some parts of Africa, including Sierra Leone and the Great Lakes region. In Afghanistan, the systematic violation of the human rights of women and girls was rampant. He noted, in that connection, that the eradication of all forms of discrimination on the basis of sex was an important priority for the international community.

39. However, positive developments had occurred in several countries. The recent elections in Nigeria offered a good example of how democratic rule could help lay a solid foundation for respecting human rights. The efforts of the Iranian Government to improve human rights were also commendable.

40. While it could not claim that its own human rights record was flawless, the Republic of Korea had worked diligently to develop democracy in parallel with a market economy. Greater emphasis was being placed on individual rights and on support for efforts to address human rights problems in the world. His Government planned to establish an independent human rights commission by the end of the year and intended to improve legislation aimed at preventing human rights violations and discrimination in any form.

41. Mr. HOSSAIN (Special Rapporteur on the situation of human rights in Afghanistan), introducing his report (E/CN.4/1999/40), said that talks involving the Special Envoy of the Secretary-General had been initiated on 14 March 1999 to explore the prospects for peace, and another round of talks would shortly be held. The peace-building effort posed daunting challenges, given the significant destruction of the country's infrastructure, the large numbers of refugees and internally displaced persons, widespread health and nutrition problems, the particularly difficult circumstances of women and the fact that the country had become the world's largest narcotics producer.

42. When the 1998 interim report of the previous Special Rapporteur had been sent to the representatives of Taliban, they had contested its allegations of violations of human rights, stating that those incidents had not been verified and that no mention had been made of cases in which unarmed Taliban had been tortured. While the Taliban representatives had appealed to the humanitarians of the world to heal the wounds of the Afghans, he had insisted that such healing was contingent upon an end to human rights violations.

43. He had visited Kabul from 16 to 18 March 1999 and had also visited Islamabad and Peshawar, where he had met a cross-section of Afghan refugees. During his visit to Kabul, he had been informed that law and order had been restored to a degree where people could carry on with some aspects of their daily lives, even though a curfew was imposed at 9 p.m. He had also been informed that restrictions on women's rights had been relaxed somewhat and that girls would enjoy greater access to education once war-damaged schools were reopened. An exemption from the restriction on the employment of women in urban areas had been granted to needy widows.

44. Increased humanitarian assistance was sought for those efforts which, it was argued, would contribute to improving the human rights situation in the country. However, a more comprehensive assessment of the human rights situation would be required to evaluate the validity of that argument, an effort that would entail further visits by himself and, ideally, the thematic special rapporteurs on extrajudicial, summary or arbitrary executions, torture and violence against women. United Nations investigations of the massacres might also yield material that would be useful for such an assessment.

45. Improving the overall human rights situation must involve all segments of the Afghan people in a process aimed at establishing a broad-based,

multi-ethnic and fully representative Government. Such a process would require the support of the international community, in accordance with the recommendations contained in paragraphs 28 to 32 of his report.

46. That process must have a human rights focus, and the Secretary-General should ensure that all United Nations activities in Afghanistan reflected the principle of non-discrimination against women and a gender perspective. All parties to the Afghan conflict should be urged to reaffirm publicly that they were committed to safeguarding internationally recognized human rights and to preventing human rights abuses. In addition, the flow of arms should be stopped, as it was feared that the onset of spring might see a resumption of the conflict.

47. Mr. TANDAR (Observer for Afghanistan) said that, as the Special Rapporteur had been appointed only recently and had had a very limited time in which to prepare and submit his report to the Commission, the document was more a summary of United Nations activities in Afghanistan than a report on the situation of human rights there. In fact, the report gave virtually no indication of the current human rights situation.

48. With regard to the right to life and personal safety, thousands of civilians - chiefly women, children and elderly persons belonging to the Shiite and Hazara minorities - had been killed or had disappeared in the northern part of the country during the Taliban offensive in the summer of 1998 and members of other minorities were being held hostage. Some 80 per cent of all prisoners being held by the Taliban were not prisoners of war but civilians who had been rounded up for use as bargaining chips.

49. Religious intolerance was displayed against Afghan Shiites and women; forced conversions had occurred, and the head of the Taliban had declared that Shiites were not Muslims. Many persons had been condemned to death on the grounds of their presumed sexual orientation.

50. Violence against women and girls and serious curtailment of their rights continued unabated, yet none of that was mentioned in the report. To the Taliban, the role of women was to satisfy men and bear children, a situation which clearly had a negative impact on society in general and on enjoyment of the right to development in particular. Sociological studies showed that improved living standards were closely linked to women's level of education and participation in public life. Unfortunately, education in Afghanistan suffered from the fact that women could no longer teach, and it had become difficult even for boys to study.

51. The Taliban had made Afghanistan into a base for international terrorism, and the Afghan people bore the brunt of the military activities carried out within the country by mercenaries fighting alongside the Taliban. The drug culture also threatened the future of the country and the only way the conflict in Afghanistan could be ended was through democracy and an expression of the people's will.

52. Mr. EFTYCHIOU (Observer for Cyprus) said that, almost 25 years after its invasion and occupation of 37 per cent of the territory of Cyprus, Turkey continued to maintain more than 35,000 armed troops there. As a result of the

invasion, almost 200,000 people had been forced to abandon their homes in the area occupied by the Turkish army and had become refugees in their own country. Not a single inch of territory had been relinquished, not a single displaced person had been allowed to return home. Of the 20,000 Greek Cypriots who, in 1974, had managed to remain in their homes in the occupied area, only 628 still remained; the others had left as a result of pressure, discrimination and restrictions. Hundreds of religious and archaeological monuments had been destroyed, looted or otherwise abused.

53. Only 60,000 of the 120,000 Turkish Cypriots who had been living in Cyprus in 1974 were still there, but 114,000 Turkish settlers had been planted in the occupied area of Cyprus in furtherance of Turkey's colonization policy - a fact which gave the lie to its assertions that it had invaded Cyprus to protect the Turkish Cypriot community.

54. The relevant United Nations resolutions and high-level agreements offered a sound basis for achieving a just and viable solution to the Cyprus problem but there was a lack of the necessary political will on the part of States to demonstrate on the ground that their respect for human rights was more than lip-service. Human rights should be respected and observed in practice in Cyprus and elsewhere, and the reasons for their violation removed.

55. Mr. AL-HADDAD (Observer for Bahrain) said that respect for human rights and the comprehensive development of a society were inextricably linked. Bahrain's achievements in the human development field had come about against a backdrop of limited resources, a rapidly growing population and high population density. Citizens enjoyed direct personal access to the Amir and to government officials, and there was widespread public discussion of essential issues.

56. His Government believed in international cooperation for the promotion of human rights, and had, in 1998, acceded to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. It had, however, repeatedly cautioned against the cynical abuse of international human rights machinery.

57. Mr. FRANCO (Special Rapporteur on the situation of human rights in the Sudan), introducing his report (E/CN.4/1999/38), said that, as mentioned in paragraph 12 of the report, he planned to submit a substantive written report in the near future. For the moment, he would give the Commission a brief summary of its contents. His first mission to the Sudan had taken place in February 1999. He had visited Khartoum and both government-held and rebel-held territories in the southern Sudan. The cooperation of the Government of the Sudan and the open and frank dialogue maintained throughout had greatly facilitated his mission.

58. The implications for the situation of human rights and the transition to democracy of the new Constitution adopted in April 1998 and the new Law on Political Parties of January 1999 were prominent topics of his discussions with government authorities, representatives of civil society and of the international community in Khartoum. Some believed that they were the sign of a new and promising political momentum, while others regarded them simply as a further device to enable the official party to remain in power.

59. While the adoption of the Constitution was not the culmination of a process based on a broad political consensus, the Bill of Rights it contained should be acknowledged as a positive step, provided that it was underpinned by measures to ensure the transition to a democratic system based on the rule of law.

60. The adoption of the new Constitution had been overshadowed, however, by the curtailment of political freedoms: frequent reports had been received in 1998 of abuses such as arbitrary arrest and detention, targeting in particular human rights advocates and political, religious and student leaders. All too frequently, torture was used and some victims had died as a result. Such human rights abuses could not but undermine confidence in the Government's stated intent to introduce legal institutional reforms conducive to a democratic system. The role of the State security agencies should be restricted, in view of the fact that they were directly responsible for violations of human rights.

61. There was no doubt that the war had a disproportionately high impact on the civilian population, conducted as it was in total disregard of human rights and the principles of humanitarian law. Violations were being perpetrated by all the parties involved, with the Government and the groups under its control bearing the largest share of responsibility. It was essentially such violations, coupled with the effects of El Niño, that had triggered the 1998 famine in the Bahr-el-Ghazal region since the years of war had eroded the social and economic infrastructure in southern Sudan, creating the preconditions for cyclical hunger and precarious health.

62. The problem of slavery had been revived and exacerbated; the Government had used nomad Arab tribesmen from the north to escort a military supply train to a garrison town, and in return for their services, they had been given a free hand to attack the civilian population and to abduct women and children, who were taken north as forced labour. The Government of the Sudan should accept a multilateral investigation into the causes of slavery and into ways and means of securing its eradication.

63. While the main priority for the international community should be to give continued support to all efforts to achieve a durable peace in the Sudan, immediate measures to improve human rights were both necessary and feasible. The first responsibility lay with the Government and the Sudan Peoples' Liberation Army (SPLA), which must respect the rules of humanitarian law. He had addressed recommendations to both parties. There should also be a permanent United Nations human rights presence in the Sudan.

64. Mr. ELMUFTI (Sudan) said one of the major shortcomings of the Special Rapporteur's report was that it failed adequately to note the practical steps the Government had taken to bring about peace. The Sudan Peace Agreement of April 1997 had resolved all the controversial issues to the satisfaction of all parties, despite the refusal of the SPLA to sign it. If the Special Rapporteur had analysed the reasons for the SPLA refusal to sign it and to extend the ceasefire, he would have reached the obvious conclusion that it was the SPLA that was responsible for the continuation of the armed conflict in the Sudan and thus for all the conflict-related violations of human rights.

65. The Special Rapporteur had rightly noted that the most important development of the past year had been the adoption of the new Constitution,

enshrining most of the rights set forth in the International Covenant on Civil and Political Rights, supplemented by a new law on political parties that had resulted in more than 30 parties being registered for participation in the forthcoming elections. As he had also noted, those developments had taken place in the context of greater toleration of political expression and more political debate in the press.

66. The Government had done everything it could and the Special Rapporteur's remarks regarding the revision of existing legislation were unjustified, since all the necessary instruments had already been submitted to Parliament. The transition to democracy could not be achieved overnight. The Special Rapporteur had, however, adopted an idealistic and academic approach when commenting on the new Constitution.

67. His Government, which fully accepted the Special Rapporteur's recommendation that it adopt implementation measures to ensure the transition to a political system based on the rule of law, was also fully committed to compliance with the Geneva Conventions and, in that connection, expected the Special Rapporteur to condemn the recent murder of four Sudanese relief workers by the SPLA. It also fully endorsed his recommendations in connection with torture, since it was the Government's policy to take all necessary measures to prevent torture and to ensure prompt and impartial investigation of allegations of torture.

68. It was most unfortunate that the Special Rapporteur had referred to allegations of slavery, since his findings contradicted the conclusions of credible international figures who had visited the Sudan and had spent considerable time looking into the allegations.

69. His Government reiterated its objection to a United Nations human rights field presence, in the belief that building national capacities was much more effective and far less expensive.

70. During his visit, the Special Rapporteur had submitted to the Government a list containing all the 166 allegations of detention of which he had been informed. After careful scrutiny, the Government had been able to substantiate that 110 of the allegations were totally unfounded; that 45 were no longer valid since the persons concerned had been released, and that the remaining 11 were unfounded because the persons concerned were facing ordinary criminal charges, their identity was not known to the Special Rapporteur, the allegations had already been clarified by the Government or they were a repetition of cases already listed.

71. Lastly, the Government had hoped that the Special Rapporteur would express his views regarding the unjustified bombing by the United States of America of the Al-Shifa factory but, surprisingly, he had simply noted the Government's position without any comment.

Statements in exercise of the right of reply

72. Mr. TEKLE (Observer for Eritrea) said that the statement on behalf of the European Union had simply asked for a commitment by both the countries involved to a peaceful solution of the Ethiopian-Eritrean conflict on the basis of the Framework Agreement of the Organization of African Unity (OAU), but the observer for Ethiopia had evaded the issue. That observer must state

unequivocally whether his Government was ready to start negotiations on the basis of the OAU Framework Agreement; whether it was prepared to implement the repeated calls by the Security Council for an immediate ceasefire; and whether it was unreservedly committed to the sanctity of colonial borders.

73. The Ethiopian assertion that the OAU, the United Nations and the rest of the world had treated Eritrea as the aggressor also bore no relationship to the truth. No OAU or United Nations document had labelled Eritrea as the aggressor, but the Security Council had "regretted" that Ethiopia was "still continuing its military actions".

74. On 5 February 1999, the Government of Ethiopia had announced that Eritrea had bombed the town of Adigrat, but European Union representatives had been denied permission to visit the alleged bombing site because, they were told by the Ethiopian Prime Minister, there was no transport and the place was too dangerous. When they had insisted that they were ready to take the risk and would arrange their own transport, he had told them that he had been "misinformed" about the bombing. Subsequently, however, the Foreign Minister had insisted that the bombing had taken place.

75. Mr. MERIC (Observer for Turkey) said that the statement by the observer for Greece was an attempt to whitewash the fact that a terrorist, who had masterminded more than 100,000 crimes in Turkey, had stayed in a Greek Embassy as a guest of honour. The booklet mentioned by the observer for Greece was merely documentation of Greece's complicity with the terrorism of the Kurdish Workers' Party (PKK), compiled from neutral sources.

76. The observer for Greece had also claimed perfection for Greece's human rights standards. However, the Turkish minority in Western Thrace, which had been granted minority status under the 1923 Treaty of Lausanne, found itself in a deplorable situation in which its members could not be sure of their security, were subjected to repression in the fields of education and religion, could not carry out their professions, obtain driving licenses or get permission to repair their own houses. Their cultural heritage was being deliberately destroyed. The story of the Turkish minority in Greece demonstrated Greece's hypocrisy when it criticized the human rights practices of others.

77. Mr. MAHMOOD (Observer for Iraq) said that human rights should not be politicized and double standards should not be used in connection with humanitarian issues. The representatives of Canada and Norway and the observer for New Zealand had referred to allegations of violations of human rights, basing themselves on the report by the Special Rapporteur on the situation of human rights in Iraq (E/CN.4/1999/37), which had been refuted by his delegation. The delegations concerned should have been rather more objective and referred to the genocide being perpetrated against Iraq. The most fundamental of human rights - the right to life - was being violated by the embargo, which had caused the deaths of more than 1.5 million people and had brought great suffering on both the current and future generations. The delegations concerned should also have spoken about the destructive effect of the use of forbidden weapons, which had been employed against the people of Iraq, and about the use of enriched uranium. Those were the realities and truths they should have taken into account when talking about human rights in Iraq.

78. Mr. ABEBE (Observer for Ethiopia) said that the observer for Eritrea had once again vilified Ethiopia. His propaganda was intended to divert international attention from the rapidly deteriorating situation of Ethiopian nationals in Eritrea. The regime there had recently intensified its brutal acts against such nationals. Just one day after the Commission's current session had begun, the Government of Eritrea, without notifying the ICRC and without the knowledge of the Government of Ethiopia, had inhumanely deported 2,500 Ethiopian nationals and dumped them at the border town of Humera near the war zone, deliberately exposing them to risk.

79. The border areas where the deportees had been dumped by the regime were hot spots of fighting and heavily mined; the deportees were left to be maimed or killed or to starve to death. Nevertheless, the Eritrean authorities wished the world to believe that the Ethiopian deportees were crossing a heavily fortified and mined border of their own free will. It was part of their usual contemptuous and insulting attitude towards the international community.

80. The right to live in peace in one's own country had been blatantly violated for thousands of Ethiopian nationals still under illegal Eritrean occupation. They had been forced out of their homes and their farmlands; Eritrean nationality had been imposed on them against their will; their land had been sown with anti-personnel landmines indiscriminately deployed by the Eritrean Government; they had been killed, tortured, arbitrarily detained and forcibly deported in an inhuman manner. The Eritrean Government had perpetrated such heinous acts in order to change the demography of the areas it had illegally occupied. The international community must condemn such criminal acts and demand that Eritrea refrain from committing them, and hold accountable all those responsible for war crimes.

81. Mr. MANOUSAKIS (Observer for Greece) said he wished to reiterate that Greece did not support terrorism and categorically rejected the Turkish accusations relating to alleged support of PKK activity. The plight of the Kurds was primarily a human rights issue and, as such, deserved the undivided attention of the international community. Resolution of that issue should be sought through peaceful means. Respect for human rights was the key element in its settlement, and Turkey should take the necessary steps to that end. Terrorism could not be used as a pretext for committing violations of human rights and grave breaches of international humanitarian law.

82. Turning to the question of the status of the Muslim minority in Thrace, he said that, while it had numbered 80,000 when the Treaty of Lausanne had been signed in 1923, it currently numbered 100,000. The Muslim minority in Thrace enjoyed all freedoms and guarantees, as well as full equality with all Greek citizens. The facts spoke for themselves. By the same token, however, Turkey's performance was very poor indeed. In 1923, the number of Greeks living in Istanbul had been 150,000. There were currently only 3,000. No one could ever believe that those people had left of their own free will.

The meeting rose at 6.10 p.m.